

Message Text

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ACTION EUR-12

INFO OCT-01 NEA-11 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 PA-01 SP-02 SS-15 NSCE-00
SSO-00 ICAE-00 INRE-00 IO-13 HA-05 /079 W
-----012213 211547Z /42

O 211348Z JUN 78
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC IMMEDIATE 3355
INFO AMEMBASSY BELGRADE
AMEMBASSY BERLIN
AMEMBASSY BUCHAREST
AMEMBASSY BUDAPEST
AMCONSUL LENINGRAD
AMCONSUL MUNICH
AMEMBASSY PRAGUE
AMEMBASSY SOFIA
AMEMBASSY TEL AVIV
AMEMBASSY WARSAW
USMISSION USNATO

C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 14310

E.O. 11652: GDS
TAGS: PINT, SHUM, UR
SUBJECT: TRIAL OF JEWISH REFUSENIK IDA NUDEL

REF: STATE 156395 (NOTAL)

SUMMARY: EMBOFF (SECOND SECRETARY RAYMOND SMITH)
ATTEMPTED TO ATTEND NUDEL TRIAL AS INSTRUCTED
REFTEL. NUDEL REFUSED TO GO TO COURTROOM UNLESS
FRIENDS AND FELLOW REFUSENIKS WERE ALSO PERMITTED
ENTRY. AFTER SIXTY MINUTE STAND-OFF, MILITIA READ
COURT ORDER INSTRUCTING THEM TO TAKE HER TO COURT
ROOM BY FORCE AND DID SO. EMBOFF SUBSEQUENTLY ASKED
WHETHER HE COULD ATTEND TRIAL AND, UPON BEING TOLD
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THAT COURTROOM WAS FULL, DEPARTED. END SUMMARY.

1. FOLLOWING IS CHRONOLOGY OF EVENTS MORNING OF
JUNE 21 AT SITE OF NUDEL TRIAL:

--EMBOFF ARRIVED SHORTLY AFTER TEN A.M. AS DOORS
WERE BEING OPENED TO PERMIT CROWD OF FIFTY TO SIXTY

OF NUDEL'S FRIENDS AND FELLOW REFUSENIKS TO ENTER COURTHOUSE.

--AFTER ENTERING WITH THEM AND FINDING OUT THAT THEY WERE NOT BEING PERMITTED TO PROCEED UPSTAIRS TO SECOND-FLOOR COURTROOM, EMBOFF ASKED MILITIA AT STAIRWAY WHETHER HE COULD ATTEND TRIAL.

--MILITIA RESPONDED THAT NUDEL HAD NOT YET ARRIVED AND THAT EMBOFF WOULD HAVE TO WAIT.

--AFTER RETURNING TO SEAT, EMBOFF RECOGNIZED NUDEL, WHO WAS IN HALLWAY WITH FRIENDS, BUT WHO REFUSED TO PROCEED TO COURTROOM UNLESS FRIENDS COULD GO ALSO.

--SITUATION REMAINED UNCHANGED FOR NEXT HOUR, EXCEPT WHEN AT ONE POINT ENTIRE GROUP ATTEMPTED LEAVE BUILDING AND RESUME VIGIL ON STREET. THEY REMAINED INSIDE AFTER BEING TOLD THAT ALL COULD LEAVE EXCEPT NUDEL.

--SHORTLY BEFORE 11:30 A.M., GROUP OF UNIFORMED MILITIA CLEARED AREA AROUND NUDEL AND ONE OF THEM READ ALOUD COURT ORDER INSTRUCTING MILITIA TO BRING HER TO COURTROOM BY FORCE, WHICH THEY THEN CONFIDENTIAL

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DID (EMBOFF VIEW WAS NOT VERY GOOD, BUT FROM WHAT HE COULD OBSERVE MILITIA SEEMED NOT TO HAVE USED FORCE SUBSTANTIALLY IN EXCESS OF THAT REQUIRED TO CARRY OUT ORDER) TO SCATTERED ACCOMPANYING CRIES OF "FASCISTS".

--CONFUSED SCENE THEN ENSUED, WITH SOME MILITIA ORDERING CROWD TO CLEAR BUILDING, WHILE OTHERS, INCLUDING SEVERAL IN PLAINCLOTHESE, PROCEEDED TO ARREST THREE OF SPECTATORS. (ARRESTS WERE OSTENSIBLY FOR "FASCIST" CRIES, BUT SPECTATORS TOLD EMBOFF THAT THOSE ARRESTED WERE NOT THOSE WHO HAD CRIED OUT, BUT RATHER THREE CLOSE FRIENDS AND SUPPORTERS OF NUDEL.)

--AS THREE ARRESTED PERSONS WERE TAKEN FORCIBLY FROM BUILDING, MILITIA REVERSED ORDER THAT EVERYONE ELSE LEAVE, AND GAVE INSTRUCTIONS TO PLAINCLOTHERS PERSONS AT DOOR THAT NO ONE SHOULD LEAVE.

--AFTER WAITING A FEW MINUTES FOR VERY TENSE

ATMOSPHERE TO COOL DOWN A BIT, EMBOFF APPROACHED
ONE OF OFFICERS IN PLAINCLOTHESE, ASKED WHETHER
TRIAL WAS OPEN AND WHETHER EMBOFF COULD ATTEND.
AFTER BEING TOLD COURTROOM WAS FULL, EMBOFF STATED
THAT HE WANTED TO LEAVE BUILDING AND, UPON BEING
TOLD THAT NO ONE COULD LEAVE, IDENTIFIED HIMSELF
AS U.S. DIPLOMAT, SHOWED DIPLOMATIC CARD AND REPEATED
THAT HE WISHED TO LEAVE.

--ANOTHER OFFICER IN PLAINCLOTHES THEN CAME OVER
AND CHECKED EMBOFF'S IDENTIFICATION CAREFULLY,
AFTER WHICH HE WAS PERMITTED TO DEPART.

2. WE WILL REPORT FURTHER ON TRIAL AS INFORMATION

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C O N F I D E N T I A L SECTION 02 OF 02 MOSCOW 14310

BECOMES AVAILABLE TO US.

3. DURING APPROXIMATELY NINETY MINUTES IN BUILDING,
EMBOFF WAS VERY CAREFUL NOT TO ENGAGE IN ANY BEHAVIOR
WHICH SOVIET AUTHORITIES MIGHT FIND OBJECTIONABLE.
HE OBEYED MILITIA INSTRUCTIONS SCRUPULOUSLY,
WAITING FOR A DECISION ON WHETHER HE COULD ATTEND
TRIAL WHEN TOLD TO DO SO, AND DEPARTING AFTER BEING

TOLD THAT HE COULD NOT ATTEND TRIAL BECAUSE COURT-
ROOM WAS FULL. AT NO TIME DID AUTHORITIES SUGGEST
THAT HIS PRESENCE (OR FOR THAT MATTER PRESENCE OF
ANY OF SPECTATORS) WAS IMPROPER OR INAPPROPRIATE.
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